

Stephen L. Beshear
Governor

Robert D. Vance
Secretary



Environmental Quality Commission

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Scott Smith, Chair, *Lexington*
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Laura Knoth, *Grand Rivers*
Kimberly McCann, *Ashland*
Stephanie McSpirit, *Richmond*
Eugene Zick, *Russellville*

Leonard K. Peters, Secretary
Energy and Environment Cabinet
Capital Plaza Tower
500 Mero Street, 5th Floor
Frankfort, KY 40601

August 6, 2008

Secretary Peters:

The Environmental Quality Commission (EQC) held a meeting on Aug. 4-5, 2008, in Frankfort. One of the agenda items was a discussion of the proposed changes to the Hazardous Waste program regulations. Ms. Cassandra Jobe, Division of Waste Management (DWM), briefed the EQC on the proposed administrative regulations. After careful review of the proposed regulations and the Statement of Consideration, the EQC submits the attached recommendation of adoption of the regulations.

Please contact me or Arnita Gadson, Executive Director of the EQC, with questions/comments. Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Scott R. Smith".

Signed, Scott R. Smith
Chairman, Environmental Quality Commission

cc: Tony Hatton, Director, Division of Waste Management
R. Bruce Scott, Commissioner, Department for Environmental Protection
Arnita Gadson, Executive Director, Environmental Quality Commission

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**RECOMMENDATION
OF THE
KENTUCKY ENVIRONMENTAL QUALITY COMMISSION
WATER QUALITY CERTIFICATION PUBLIC NOTICE**

Pursuant to KRS 224.01-100 through 224.04-115, the Environmental Quality Commission shall have the power, duty and authority to:

- Recommend adoption or rejection by a majority of its membership present and voting of any proposal by the Cabinet to adopt, modify or revoke any rule or regulation pertaining to the prevention, abatement and control of existing or threatened air or water pollution, disposal of waste, control of noise, or the use of air, land, or water resources, or strip mining and reclamation.
- The Commission shall tender, in writing, its recommendation of adoption or rejection. If the Cabinet adopts any matter upon the Commission's recommendation of rejection, the Secretary shall file with the Commission a statement of the reason therefore.

Therefore, on August 5, 2008:

the Environmental Quality Commission voted unanimously to recommend adoption of the Kentucky Division of Water proposed administrative regulations listed below.

401 KAR 32:010. General provisions for generators
401 KAR 32:050. Special conditions
401 KAR 34:005. Definitions for 401 KAR Chapter 34
401 KAR 34:080. General financial requirements
401 KAR 35:005. Definitions for 401 KAR Chapter 35
401 KAR 35:080. General financial requirements (IS)
401 KAR 36:030. Recyclable materials used in a manner constituting disposal
401 KAR 37:005. Definitions for 401 KAR Chapter 37
401 KAR 37:040. Treatment standards
401 KAR 38:005. Definitions for 401 KAR Chapter 38
401 KAR 38:040. Changes to permits; expiration of permits
401 KAR 43:005. Definitions for 401 KAR Chapter 43

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Chairman, Environmental Quality Commission



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R. Bruce Scott, Commissioner, Department for Environmental Protection
Arnita Gadson, Executive Director, Environmental Quality Commission